

R E M A R K S

- Claims 1-184 were pending
- Claims 2, 6, 9-16, 23, 25-57, 60-64, 68, 70-74, 77-79, 83-88, 90-106, 109-111, 115-120, 122-164, 166-167, 171, 173-175, 177-184 have been canceled without prejudice
- Claims 1, 3-5, 7-8, 17-22, 24, 58-59, 65-67, 69, 75-76, 80-82, 89, 107-108, 112-114, 121, 165, 168-170, 172, 176 and 185-190 remain pending
- Claims 1, 3, 4, 7, 59, 76, 107 and 165 have been amended herein
- Claims 185-190 are newly added herein
- Claims 1, 59, 76, 107, 165 and 185 are independent claims

I. CLAIM REJECTIONS 35 U.S.C. § 112

Claims 18-22, 66-67, 81-82 and 113-114 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. The Examiner states that

"Claims 18, 66, 81, and 113 all recite a "first feature adapted to identify a beginning of the ribbon." This renders the scope of the claims impossible to ascertain because it is not understood by the examiner how a ribbon formed into a continuous loop has a beginning." (page 2)

For reasons discussed below, Applicants traverse this rejection.

Applicants disagree with the Examiner's assertion that the scope of the claims is impossible to ascertain. The label "beginning" in the term "beginning of the ribbon" is only used for clarity and convenience to reference a

unique point on the ribbon. Applicants do not mean to imply that a loop in the abstract has a beginning. As the Examiner has ascertained (as evidenced by his suggested amendment), Applicants have merely identified a location on the ribbon and labeled it the "beginning." For the sake of patent claims, any location along a ribbon, regardless of whether or not the ribbon is used in a loop arrangement, may be labeled the beginning of the ribbon (or, for that matter, any term the Applicant selects). If such a location is identifiable, such as by a unique feature of the ribbon, any position along the ribbon may be monitored or referenced relative to the beginning of the ribbon (e.g., relative to the location on the ribbon of the unique feature of the ribbon).

Applicants' specification teaches a 'first feature' used to identify the beginning of a ribbon (see, for example, FIG. 24 and page 39 lines 8-14 of Applicants' specification). The first feature may mark the beginning of a series of indicia used to locate items transported by the ribbon, such as substrate carriers, as described on page 13 lines 2-5 of the Applicants' specification. In this manner, the locations of substrate carriers may be identified relative to the first feature (even if the ribbon is used in a loop configuration). Thus, as used in Applicants claims, there is nothing indefinite about identifying the beginning of a ribbon using a first feature. Therefore, Applicants request reconsideration and withdrawal of the 35 U.S.C. § 112 second paragraph rejection.

II. CLAIM REJECTIONS 35 U.S.C. § 102(b)**A. § 102(b) rejection in view of WO/01/73678**

Claims 1-2, 4-5, 7-8, 18-19, 24, 58-59, 63, 66, 69, 75-76, 78, 81, 89, 107-108, 110, 113, 121, 165-166, 169, 172 and 176 stand rejected under 35 U.S.C. § 102(b) as being anticipated by PCT document number WO/01/73678 A1 filed October 4, 2001 (hereinafter "73678").

Applicants respectfully traverse the Examiner's rejection based on the 73678 reference. Applicants assert that the 73678 reference only contemplates a horizontal orientation of a strip and therefore cannot suggest use of a ribbon in a vertical orientation (e.g., rigid in a vertical plane) as recited in Applicants' claims. With regard to 73678, the Examiner states:

"The system employs a continuously rotating ribbon that is adapted to be flexible in a horizontal plane and rigid in a vertical plane when the ribbon is positioned so that the surface 10 is positioned in a vertical plane. When this is done, the ribbon could be viewed as having a vertical portion 3 adapted to support substrate carriers and a plurality of separate horizontal portions 7 coupled to the vertical portion that are adapted to support a weight of the ribbon."
(page 3 of June 24, 2005 Office Action,
emphasis added)

In contrast to the Examiner's suggestion, nowhere does 73678 teach or suggest that surface 10 is oriented in a vertical plane. The Examiner's interpretation appears to require the strip of the 73678 reference to be rotated ninety degrees without any suggestion from the reference to do so. It is not clear to Applicants that the system of the 73678 reference could even function if surface 10 is

oriented in a vertical plane. For example, it appears that the strip of the 73678 reference is driven by tapered prongs that insert into the perforations on the edge of the strip of the 73678 reference. It is not clear what would hold the strip on such prongs if the surface 10 is oriented in a vertical plane. Clarification is respectfully requested. Absent any basis to support the operability of the system of the 73678 reference in a vertical orientation, Applicants assert that the reference does not anticipate Applicants' claimed invention.

Furthermore, based on US Patent No. 6,804,121 which appears to be an English language continuation of co-pending International Application No. PCT/DE01/01095 which corresponds to PCT document number WO/01/73678A1, the 73678 reference appears to teach that the mount substrate 3 has features with an upper and lower face, thereby clearly suggesting that the mount substrate 3 is oriented horizontally. Specifically, US Patent No. 6,804,121 states that the mount substrate 3 has a lower face 10 (column 8, lines 18-19). Additionally, FIG. 4 depicts a cross section view of a housing 30 where

"[t]he outer contacts may be disposed on the upper face of the mount substrate, which is also fitted with the sensor chip, or on the opposite lower face of the mount substrate."
(column 2, lines 19-21, emphasis added)

Additional indications of the horizontal orientation of the mount substrate 3 may be found in passages of at least column 2, lines 22-27; column 8, lines 16-19; and column 8, lines 36-41. Thus, Applicants assert that the 73678 reference not only fails to teach or suggest a vertically

oriented mount substrate 2, but that 73678 suggests that the mount substrate 3 is horizontally oriented.

Regardless of the above distinctions and solely to expedite prosecution, Applicants have herein amended claims 1, 59, 76, 107, and 165 to include the following features:

"[...] a vertical portion adapted to support substrate carriers; and a horizontal portion that extends outward from the vertical portion so as to create a supporting surface adapted to support a weight of the ribbon." (hereinafter "horizontal and vertical features")

These amendments are intended to merely make explicit that which was implicit in the original claims. Applicants assert that the above horizontal and vertical features are clearly not taught or suggested by the 73678 reference. The Examiner asserts that "horizontal portions 7" of the system of the 73678 reference provide support for the weight of the strip (i.e., the mount substrate 3). However, it is clear from US Patent No. 6,804,121 that the "housing frame 7" merely houses biometric chips for the purpose of dissipating spark discharges. Nowhere does US Patent No. 6,804,121 teach or suggest supporting anything with the housing frame 7, much less the weight of the mount substrate 3 as the Examiner asserts. Thus, even if the surface 10 were to be oriented in a vertical plane, nowhere does the 73678 reference teach or suggest that portion 7 of the housing is adapted to support the weight of a vertical portion. In addition, as stated above, contrary to the Examiner's suggestion, Applicants assert that 73678

suggests that mount substrate 3, which includes surface 10, is horizontally oriented.

Thus, Applicants assert that 73678 fails to teach or suggest at least the horizontal and vertical features of the present invention in the passages relied upon by the Examiner. Independent claims 1, 59, 76, 107 and 165 have been amended to include these features. Therefore, Applicants assert that the 73678 reference fails to teach or suggest features of the independent claims 1, 59, 76, 107 and 165 as amended. Since pending claims 3-5, 7-8, 17-22, 24, 58, 65-67, 69, 75, 80-82, 89, 108, 112-114, 121, 168-170, 172 and 176 properly depend from amended independent claims 1, 59, 76, 107 and 165, Applicants assert that claims 1, 3-5, 7-8, 17-22, 24, 58-59, 65-67, 69, 75-76, 80-82, 89, 107-108, 112-114, 121, 165, 168-170, 172 and 176 are allowable over 73678. Thus, Applicants request reconsideration and withdrawal of the 35 U.S.C. § 102(b) rejection based on 73678.

B. § 102(b) rejection in view of 72835

Claims 1-3, 5, 7-8, 18-22, 24, 58-59, 63, 66-67, 69, 75-76, 78, 81-82, 89, 107-108, 110, 113-114, 121, 165-166, 169-170, 172, and 176 stand rejected under 35 U.S.C. 102(b) as being anticipated by Japanese document number 2003-72835 (hereinafter '72835') filed September 3, 2001.

With regard to 72835, the Examiner states that:

"As can be seen in the cross sectional views, the ribbon has vertical portions formed by the edges of the ribbon and by the back of the pocket 11 that are adapted to support substrate carriers and a plurality of separate horizontal portions formed integrally with the vertical portion by the

sides of the pocket that are adapted to support a weight of the ribbon." (pages 4-5 of the June 24, 2005 Office Action)

Contrary to the Examiner's suggestion, nowhere does 72835 teach or suggest that the emboss tape 1 is adapted to be vertically oriented during use. Additionally, even if the emboss tape 1 were to be oriented in a vertical plane, nowhere in 72835 is it taught or suggested that "[...] the sides of the pocket that are adapted to support the weight of the ribbon." Rather, 72835 teaches, as shown in FIG. 6, support by a feeding roller (16) using feeding hooks (15) and feeding holes (13).

Thus, Applicants assert that 72835 fails to teach or suggest at least the horizontal and vertical features of Applicants' amended claims 1, 59, 76, 107 and 165. Since the pending claims 3-5, 7-8, 17-22, 24, 58, 65-67, 69, 75, 80-82, 89, 108, 112-114, 121, 168-170, 172 and 176 properly depend from the amended independent claims 1, 59, 76, 107 and 165, Applicants assert that claims 1, 3-5, 7-8, 17-22, 24, 58-59, 65-67, 69, 75-76, 80-82, 89, 107-108, 112-114, 121, 165, 168-170, 172 and 176 are allowable under 72835. Thus, Applicants request reconsideration and withdrawal of the 35 U.S.C. § 102(b) rejection based on 72835.

C. § 102(b) rejection in view of Gramarossa

Claims 1, 17-22, 24-25, 58-59, 65-67, 69, 75-76, 80-82, 89, 107-108, 112-114, and 121 stand rejected under 35 U.S.C. 102(b) as being anticipated by Gramarossa et al. (U.S. patent number 4,755,046, hereinafter 'Gramarossa'). Applicants respectfully traverse this rejection. The Examiner asserts that Gramarossa teaches a conveyor system that is adapted for use in delivering substrate carriers.

However, the Gramarossa reference appears to disclose only gripping and transporting actual production parts, without the use of carriers. The Gramarossa reference appears not contemplate the use of carriers because the production parts (1) are apparently processed directly off the transport belt and (2) are gripped with directly opposing forces to prevent part distortion. The Examiner has not identified, and Applicants cannot find, any reference to carriers, much less substrate carriers, within the Gramarossa reference at all. Thus, Applicants respectfully request the withdrawal of the Section 102(b) rejection based on Gramarossa.

Regardless of the above, Applicants note that Applicants' Claim 2 was not rejected under 35 U.S.C. 102(b) in view of Gramarossa. Claim 2 recites features similar to the horizontal and vertical features added to the pending independent claims. Applicants agree with the Examiner that Gramarossa fails to teach or suggest the horizontal and vertical features of Applicants' claims as amended. Since the independent claims have been amended to include horizontal and vertical features similar to that of Claim 2, Applicants submit that amended independent Claims 1, 59, 76, 107 and 165 are allowable over Gramarossa. Also, since pending Claims 3-5, 7-8, 17-22, 24, 58, 63, 65-67, 69, 75, 80-82, 89, 108, 112-114, 121, 168-170, 172 and 176 properly depend from amended independent Claims 1, 59, 76, 107 and 165, respectively, Applicants assert that Claims 1, 3-5, 7-8, 17-22, 24, 58-59, 65-67, 69, 75-76, 80-82, 89, 107-108, 110, 112-114, 121, 165, 168-170, 172 and 176 are allowable over Gramarossa.

D. Conclusion on §102(b) rejections

Thus, Applicants assert that the independent claims 1, 59, 76, 107 and 165 as amended are in allowable form. Since the pending claims 3-5, 7-8, 17-22, 24, 58, 63, 65-67, 69, 75, 80-82, 89, 108, 112-114, 121, 168-170, 172 and 176 properly depend from the independent claims 1, 59, 76, 107, and 165, Applicants assert that claims 1, 3-5, 7-8, 17-22, 24, 58-59, 65-67, 69, 75-76, 80-82, 89, 107-108, 110, 112-114, 121, 165, 168-170, 172 and 176 are allowable and request reconsideration and withdrawal of the 35 U.S.C. § 102(b) rejections.

III. NEW CLAIMS 185-190

Applicants have added claims 185-190. These new claims include features that 76678, 72358 and Gramarossa do not appear to teach or suggest. The three references do not appear to teach or suggest at least the following features:

"[...]wherein the ribbon comprises a vertical portion having a first feature adapted to identify a beginning of the ribbon."

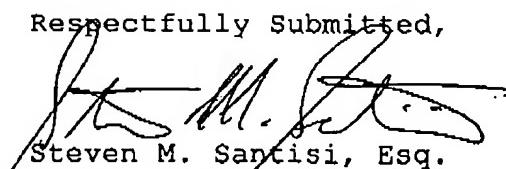
With regards to the above references, the Examiner states that each reference discloses perforation holes "that could be used to identify the beginning of the ribbon by a sensor detecting their passage." (pages 3-4 of Office Action, emphasis added) Applicants respectfully disagree. Since the perforation holes appear to be identical, there does not appear to be any means to uniquely identify a specific location. Such a system would need to know the exact number of perforation holes present in order to determine that a cycle was completed. Without

such information, such a system could not identify the perforation hole it started counting. If the ribbon slipped or the perforation holes were miscounted, such a system could not correct itself. Thus, Applicants assert that new independent Claim 185 and new dependent Claims 186-190 recite an additional feature that is not taught or suggested by 76678, 72358 or Gramarossa, and therefore, are allowable.

IV. CONCLUSION

The Applicants believe all the claims are now in condition for allowance, and respectfully request reconsideration and allowance of the same. Applicants have included herewith a Request for Extension of Time and authorization to charge the requisite extension fee to Deposit Account No. 04-1696. Applicants do not believe any other fees are due regarding this amendment. If any other fees are required, however, please charge Deposit Account No. 04-1696. The Applicants encourage the Examiner to telephone Applicants' attorney should any issues remain.

Respectfully Submitted,



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Dated: December 27, 2005
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